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February 13, 2020

**BY E.C.F.**

Hon. Richard M. Berman  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**MEMO ENDORSED**

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/14/2020

**Re: *United States v. Andrew Moody*, Docket. No. 19 Cr. 112 (RMB)**

Dear Judge Berman:

Defense counsel respectfully submits this letter motion requesting that the sentencing of the defendant, Andrew Moody, which is presently scheduled for February 26, 2020, be continued for sixty days, and that the court grant defense counsel a similar extension of time to file the defendant's sentencing submission.

This application is submitted as a result of defense counsel's recent back-to-back trial schedule. Defense counsel is presently engaged on trial in the E.D.N.Y. matter of *United States v. Carlos Richard Martinez*, Docket No. 17 Cr. 281 (ERK). Additionally, defense counsel was recently engaged on trial in the E.D.N.Y. matter of *United States v. Donville Inniss*, 18 Cr. 134 (KAM), until January 16, 2020. Shortly thereafter, on January 24, 2020, the Hon. Edward R. Korman issued a scheduling order for counsel to begin trial in the matter of *United States v. Carlos Richard Martinez*, after the defendant did not plead guilty at a change of plea hearing, which had been scheduled for January 21, 2020. Jury selection commenced on Monday, February 10, 2020. Additionally, prior to jury selection, counsel had been engaged in intense trial preparation since January 21, 2020. Presently counsel is engaged on trial, which is anticipated to run into next week.

Moreover, since the completion of the *Donville Inniss* trial, counsel has been required to devote substantial attention to a most important matter, which is presently under seal in the case of *United States v. Nicholas Tartaglione*, Docket No. 16 Cr. 832 (KMK), a death-authorized, quadruple murder case here in the Southern District of New York, in which I serve as Learned Counsel.

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For all of the reasons set forth above, defense counsel requests that the sentencing of the defendant, Andrew Moody, be continued for sixty days, and that the court grant defense counsel a similar extension of time to file the defendant's sentencing submission.

A.U.S.A. Robert Sobelman has been informed of this application, and has no objection on behalf of the government.

Thank you for your consideration of this application. If there are any questions, or if additional information is required, please contact me at your Honor's convenience.

Respectfully,

*Anthony L. Ricco*

Anthony L. Ricco

Cc: A.U.S.A Robert Sobelman (By E.C.F.)

Application granted.  
Sentence adjourned to  
April 27, 2020 at 10:30am.  
Defense submission due 4/13,  
government submission due  
4/20.

SO ORDERED:

Date: 2/14/20

*Richard M. Berman*

Richard M. Berman, U.S.D.J.